

**MINUTE BOOK XXVIII, PAGES 68-73**  
**TROUTMAN TOWN COUNCIL REGULAR MEETING MINUTES**  
**AUGUST 08, 2019**

The regular meeting of the Town of Troutman Town Council was held in the Troutman Town Hall, 400 North Eastway Drive, North Carolina on Thursday, August 08, 2019 at 7:00 p.m. with the Mayor Teross W. Young, Jr. presiding.

Council Members Present: Mayor Teross W. Young, Jr., W. Paul Henkel; Paul R. Bryant, Sally P. Williams; Judy Jablonski; Janith J. Huffman

Council Members Absent: None

Staff Present: Justin E. Longino, Town Manager; Kimberly H. Davis, Town Clerk; Darrin Payne, Interim Police Chief; George Berger, Planning Director; Gary W. Thomas, Town Attorney

Press Present: Debbie Page, SVL Free News

**MAYOR PRO TEMPORE W. PAUL HENKEL CALLED THE MEETING TO ORDER**

**ITEM 1. MAYOR YOUNG WELCOMED VISITORS AND GUESTS**

**ITEM 2. INVOCATION – Deacon Aubrey Campbell, New Life Missionary Baptist Church, Troutman**

**ITEM 3. PLEDGE OF ALLEGIANCE**

**ITEM 4. ADJUSTMENTS AND APPROVAL OF THE AGENDA**

None

Upon motion by Council member Henkel, seconded by Council member Huffman, and unanimously carried, the August 08, 2019 meeting agenda was approved as presented.

**CONSENT AGENDA:** *Items on the Consent Agenda are considered to be routine by the Town Council and will be approved with one motion. There will be no separate discussion on these items unless the Mayor or a Council member so requests, in which event the item will be removed from the Consent Agenda and considered as the first item under New Business.*

**ITEM 5. APPROVAL OF AGENDA BRIEFING MINUTES OF JULY 08, 2019**

**ITEM 6. APPROVAL OF REGULAR MEETING MINUTES OF JULY 10, 2019**

**ITEM 7. APPROVAL OF CLOSED SESSION MINUTES OF JULY 10, 2019**

**ITEM 8. APPROVAL 8. ANNEXATION REQUEST (AX-19-01)(NON-CONTIGUOUS), Applicant(s): Barium Spring Home for Children; 18.73 acres; PIN 4732110797, (Old Mountain Road, Statesville)**

- a. Adoption of Resolution 09-19 Titled: "Resolution Directing The Clerk To Investigate A Petition Received Under Article 4A Of G.S. 160A"
- b. Approval of Certificate of Sufficiency
- c. Adoption of Resolution 10-19 Titled: "Resolution Fixing Date Of Public Hearing On Question Of (Non-Contiguous) Annexation Pursuant To Article 4A Of G.S. 160A" (Setting Public Hearing Date of September 12, 2019)

**ITEM 9. APPROVAL OF RESOLUTION 11-19 TITLED: "RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT (STREET IMPROVEMENTS) AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160-20"**

Upon motion by Council member Huffinan, seconded by Council member Bryant, and unanimously carried, August 08, 2019 Consent Agenda Items was approved as presented.

(Copied in full, Resolution 09-19 is filed in Resolution Book IV, Page 10)

(Copied in full, Resolution 10-19 is filed in Resolution Book IV, Page 11)

(Copied in full, Resolution 11-19 is filed in Resolution Book IV, Page 12-13)

(Copied in full, Resolutions 09-19, 10-19, and 11-19, and Certificate of Sufficiency is attached to these minutes and is filed on CD titled: "Town Council Supporting Documents" dated August 5<sup>th</sup> and August 8<sup>th</sup>, 2019 in CD Book #1 titled: "Town Council Supporting Documents")

## **STANDING REPORTS**

### **ITEM 11. J. HOYT HAYES MEMORIAL TROUTMAN LIBRARY MONTHLY REPORT, *(Shellie Taylor, Troutman Library Branch Library Program Specialist)***

Ms. Shellie Taylor, Troutman Public Library Program Specialist presented the following monthly library report on current and upcoming programs and events:

- Summer Reading Program is over. Number of registered participants were 102 kids, 32 teens, and 47 adults totaling 181 participants registered. The programs finale was by Steve Somers on Wednesday, July 24<sup>th</sup>, at 2:00pm. Sponsored by Town of Troutman.
- Allison Woods will be presenting Earth, Rocks, and Fossils geology program for elementary and middle schoolers on Monday, August 12<sup>th</sup>, at 4:00pm.
- Goodwill Workforce Development Workshops (Job Searching 101) will be held today and again on Wednesday, August 21<sup>st</sup>, from 1:00-3:00pm.
- Staff Update: The County approved part-time staff (Seth Ledford) for the Troutman branch. Seth started work last month.
- Volunteers needed: Actively seeking shelveers for this Saturday. Anyone interested can contact Shellie and apply through the county website.
- Fall Gardening Program on Annuals vs. Perennials will be presented by Valerie Mills, North Carolina Cooperative Extension on Tuesday, September 10<sup>th</sup>, at 5:30pm. The program will consist of presenting tips for fall planting, care and maintenance, why both are important in landscaping projects.

Ms. Taylor gave an update on Kelli Goodwin, Branch Manager of the Troutman Library stating that Ms. Goodwin is back at work and will be presenting the monthly library report before Town Council next month.

Mayor Young thanked Ms. Taylor for filling in during Ms. Goodwin's absence, and expressed appreciation for all they do.

## **COMMENTS FROM VISITORS AND GUESTS**

*The Public is invited to address the Town Council with comments or concerns. Public comment is limited to three (3) minutes per individual. Speakers are required to sign in at the podium and are required to adhere to Town Policy #51 titled: "Policy Governing Comments from the Public at Town Council Meetings". Speakers are asked to sign in at the podium.*

None

## **NEW BUSINESS**

**ITEM 11. REZONING REQUEST (CZ-RM-19-02):** Calvin Creek, Autumn Leaf and Perth Roads, 120.15 acres (+/-), PINS 4730896355 and 4740090982, *(George Berger, Planning Director)*

### **a. Call for Public Hearing**

#### ***Mayor Young Opened the Public Hearing***

- Planning Director George Berger presented the request to rezone two parcels totaling approximately 120.15 acres off Autumn Leaf and Perth Roads known as Calvin Creek from Suburban Residential (RS) to Conditional Zoning-Mixed Residential (CZ-RM) for the proposed use of single-family residential homes. He stated that the Future Land Use Map (shown in a Power Point presentation) indicates that the two subject parcels are suitable for development for medium-density and low-density residential use on the western and eastern parcel respectively. The Map also indicates that the general area surrounding the parcels are projected for development with medium and low density residential development, with a Neighborhood Commercial cluster of properties at and adjacent to the intersection of Autumn Leaf and Perth Roads. The site plan for a proposed 225 residential development (shown in a PowerPoint presentation) shows two clusters: 1) 188 lots is proposed at 50' minimum lot width and 8000 sq. ft. minimum lot size; and 2) (37 lots is proposed at 65' minimum lot width and 9,500 sq. ft. minimum lot size. There are three proposed roadway entrances – two on Autumn Leaf Road and one on Perth Road. Total proposed gross density is 1.87 lots per acre with approximately 52 acres of passive open space; and 1.7 units of active open space (pool and cabana). Public water and sewer service are available to the site. The western parcel will be required to be annexed into the Town prior to the provision of public utilities. The applicant has indicated that the project will likely provide a gravity flow sewer system on the project, which would tie into Falls Cove at Lake Norman through existing easements and from there into the Streamwood pump station. Additionally, the project would by extension, allow the Town to eventually eliminate the Quail Hollow pump station such that the flow from that station could be handled via this proposed project. Mr. Berger stated that the applicant has begun a traffic impact analysis, although not required in the Unified Development Ordinance (UDO) until the preliminary subdivision plat phase of the development process of which documentation has been provided regarding that process. He also advised that he received an email from the NCDOT Division 12, District 2 transportation engineer, in which he has commented that based on a mid-week, two-day traffic study, the Division Traffic Office is recommending to keep the speed limit on Autumn Leaf Road at 45 mph at this time rather than reducing it to 35mph. The study results showed the average speed was 44 mph; the mode speed was 40 mph; and the 85<sup>th</sup> percentile speed was 51.6 mph. The Average Daily Traffic count was 634 vehicles per day noting that passenger vehicles, vans and pick-up trucks comprised 89% of the classified vehicles; buses and trucks comprised 5%; and tractor-trailer trucks comprised 6% of the total classified vehicles. In summary, he stated that staff recommends support for the project with the conditions proffered by the applicant. The net density is certainly higher than the surrounding area, as it currently exists; but gross density is significantly below the maximum for the proposed zoning district, and below the maximum for the current zoning district. The clustering of proposed lots has allowed for significant open space to be maintained; and the proposal has the potential to allow a gravity low sewer line to the project and to the north. The proposal helps provide a mixture of housing choices in the Town, and conforms to the FLUM by clustering the smaller lots on the parcel that is designated 'medium density' while providing for somewhat larger lots on the parcel designated 'low density.' He commented that regional and local traffic concerns are certainly valid; the area's roadway network is experiencing significant growth pressure both from surrounding parts of Iredell County, and from relatively new development in Town such as Falls Cove at Lake Norman. The project will be required (per the town's UDO) to construct transportation network mitigations that are associated with the project itself, as approved by NCDOT. Power Point slides with the proposed conditions were displayed.

- Applicant David Hughes, Nest Communities address Council presenting a background of Nest Communities stating that they are a local builder and developer located in Mooresville with over 20 years of experience providing a local listing communities developed by Nest Communities. Mr. Hughes stated that they respectively considered: Property Owner Requirements; Existing Zoning; Natural/Environmental Constraints; Access/Transportation Requirements; Adjacent Owner Concerns; Ordinance Requirement (non-zoning); Adopted Land Use Plans; Town Priorities; Community Concerns; Market Realities. He also reviewed their project goals such as providing a high quality residential community, be respectful of the newly adopted Future Land Use Plan, be sensitive to site characteristics and watershed overlay, make roadway and pedestrian improvements, make efficient use of the town's infrastructure, provide a mix of

housing types and prices that respect the value and character of the area and with these goals in mind they feel as though they have put together a good plan. Mr. Hughes stated that under the current zoning (RS), 240 homes could be permitted by-right; the requested zoning of CZ-RM would limit the number of homes to a maximum of 225 (1.87 units per acre). Conditional Zonings is a specific plan that requires community input for site design commitments. The site will provide a mix of home sizes and prices. Being in the watershed overlay district, their plans is for low density development as defined in the UDO as less than 2 units per acre. Clustering lots allows them to work around sensitive areas without the overall density being increase. He stated that storm water erosion control ensures that runoff and water quality is not affected by the projects added impervious surfaces. Development timeline is projected to take 2 years before the first home closes, and 6-7 years to buildout. He highlighted the following most important elements of the plan that include changes due to community feedback: 25' "Green Belt" undisturbed perimeter buffer, over 50% of the homes will back up to buffer; clustering allows to preserve open space in watershed, site has 44% (52 acres) of the site reserved; increased side setbacks to create more space between homes; designed not to need a sewer lift station; traffic improvements; pocket parks; walking trails; centrally located cabana and pool; mailbox kiosk locations; sidewalks on both sides of the road; committed architectural standards; underground utilities, dedicated additional right-of-way along Perth Road and Autumn Leaf Road for future sidewalk.

- Mr. Eric Wood, Nest Communities addressed feedback/concerns from the community regarding the overcrowding of schools stating that in speaking with Dr. Kenny Miller, Superintendent of Facilities for Iredell Statesville Schools he was informed that there are currently enough seats at Troutman Elementary and Middle to support projected growth. He was also advised that there is a plan in place and future changes/improvements such as a new High School on Overcash Road (within 3-5 years); a new Middle School next to South Iredell High School; a Parkertown site for an elementary and possibly a middle school; and when the new facilities are built, Shepherd School is likely to be converted into an IB or Magnet School. (Sites were displayed on a map via Power Point presentation). He also addressed density providing a definition as defined in the Town's UDO, how density is calculated, and pointed out the benefits of a Cluster Development stating that they are energy and environmental conservation; encourages interaction; offer recreational opportunities; and offer reduced maintenance cost. Mr. Woods addressed "traffic", the most voiced concern stating that it is important that the community understand how improvements are funded explaining in detail the three methods: privately funded, public funded by Town, and public funded by NCDOT commenting that improvements needed will be privately funded. North Carolina is a state that has chosen the path that growth should funds improvements, therefore, improvements generally follow growth so the most effective methods in implementing improvements is to allow controlled growth and development in those areas specified for such growth. He concluded by commenting that the 2035 Land Use Plan highlights the Calvin Creek site as one of those areas.

(Also present representing Calvin Creek was Paul Carter, Eastway Engineering and Amy Massey, Kimley-Horn and Associates)

- Ray Welsh, Real Estate Agent, representing the sellers of the property fronting Autumn Leaf spoke in favor of the rezoning stating that the sellers feel that the plan is in accordance with the adopted town plans and on their behalf asked that the rezoning be approved. He stated that there is a high demand for homes in the \$300,000 to \$500,000 price range and that this will be a very successful project.
- Glenn Weber, John Chapman, Ralph Dagenhart, Betty Wagner, Dan Heiser, Joe Fulk, Autumn Leaf Road and Wettington Lane residents spoke against the requested rezoning voicing concerns of clustering, density, along with traffic impact, traffic safety, road infrastructure, ingress and egress to the development stating that roads need to be improved prior to rezoning, and the impact not only to the schools, but on emergency services. In requesting denial of the rezoning, it was stated that the responsibility of the Town is to provide positive, controlled growth.
- Ron Wyatt, Iredell County Register of Deeds spoke in favor of the rezoning stating that that the traffic has to be there before NCDOT will make improvements. The community wants retail and restaurants, and in order to draw those businesses the Town has to have the rooftops already here. Iredell County is in the top 10 growing counties in the state and it is growing in the way the Town's plan is intended; and the developer plan is within the Town's adopted plan. He concluded that due to the fact that we are going to continue to grow, he is for the request.

***Mayor Young Closed the Public Hearing***

(Public Hearing sign in sheet is attached to and made part of these minutes)  
(Copied in full, public hearing notice is attached to these minutes)

**b. Adoption of Ordinance 10-19, Titled: “An Ordinance Changing the Zoning Classification of the After Described Property from Suburban Residential (RS) to Condition Zoning Mixed Residential (CZ-RM) known as CZ-RM-19-02: Calvin Creek”**

Applicant David Hughes with Nest Communities stated that he agrees to all conditions as presented.

Upon motion by Council member Bryant, seconded by Council member Huffman, and unanimously carried, approved adoption of Ordinance 10-19 Titled: “An Ordinance Changing the Zoning Classification of the After Described Property from Suburban Residential (RS) to Condition Zoning Mixed Residential (CZ-RM) known as CZ-RM-19-02: Calvin Creek” with conditions as presented.

**c. Consider Consistency Statement**

Upon motion by Council member Jablonski, seconded by Council member Huffman, and unanimously carried, approved that CZ-RM-19-02 is consistent with the 2035 Future Land Use Map and allows development in appropriately designated areas. The request brings the uses on the subject property into conformance with the currently adopted Unified Development Ordinance. The request is reasonable and in the public interest because it meets the Town’s Residential Development Goals.

(Copied in full, Ord. 10-19 is filed in Ordinance Book 9, Page 25-28)

(Copied in full, application and Ord. 10-19, and notes presented to Council by Glenn Weber is attached to and made part of these minutes)

(Copied in full, staff report, application, adjacent property owners community meeting notification letter, site plan, TIA status report by Kimley-Horn, Traffic Study update from Nest Communities, current zoning map, future land use map, use table, adjacent property owners public hearing notification letter, P&Z Board certification of recommendation, Ord. 10-19, Public Hearing Notice and Power Point presentations is filed on CD titled: “Town Council Supporting Documents” dated August 5th and August 8th, 2019 in CD Book #1 titled: “Town Council Supporting Documents”)

**ITEM 12. CONSIDER APPOINTMENTS TO TOWN BOARDS, (Justin Longino, Town Manager)**

**a. Planning & Zoning Board**

- **2 Inside Appointments (3 year term)**
  - Consider Re-Appointment of George Harris (term expiring 9-13-19)
  - Consider Appointment of Alternate Jim Freeman to fill expiring term of Louis Weeks as full inside member (term expiring 8-12-19)

Upon motion by Council member Jablonski, seconded by Council member Huffman, and unanimously carried, approved reappointment of George Harris for a 3 year term, and Alternate Jim Freeman to fill the expiring term of Louis Weeks as full inside member for a 3 year term to the Planning and Zoning Board.

**b. Board of Adjustment (3 year term)**

- **1 Inside Member**
  - Consider Appointment of Board of Adjustment Nominee Michelle Peck for term expired May 09, 2019

Upon motion by Council member Huffman, seconded by Council member Bryant, and unanimously carried, approved appointment of Michelle Peck as full inside member to the Board of Adjustment for a 3 year term.

(Copied in full, applications are filed on CD titled: “Town Council Supporting Documents” dated August 5th and August 8th, 2019 in CD Book #1 titled: “Town Council Supporting Documents”)

### ITEM 13. COMMENTS FROM TOWN COUNCIL AND MAYOR

Mayor Young

- Expressed thanks and appreciation to Interim Police Chief Darrin Payne and staff for a successful National Night Out (NNO).
- Asked to keep school children in thoughts and prayers for a safe school year, and
- Asked to keep everyone impacted by the past shootings in thoughts and prayers. It is a difficult time throughout our country and community support is important.

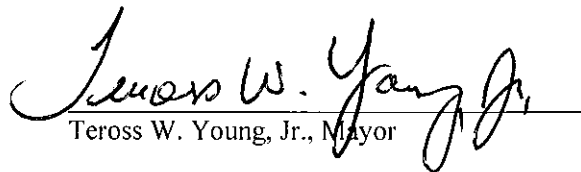
### ITEM 14. COMMENTS FROM TOWN MANAGER

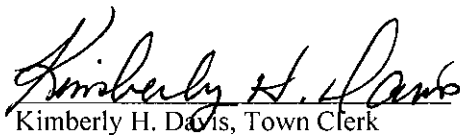
Town Manager Justin Longino

- Reminder: Party in the Park, Friday, August 16
- FYI: Iredell County Fair begins September 30<sup>th</sup>-Iredell County Fairgrounds

### ITEM 15. ADJOURNMENT

Upon motion by Council member Huffman, seconded by Council member Williams, and unanimously carried, the August 08, 2019 Town Council meeting was adjourned at 8:13 pm.

  
Teross W. Young, Jr., Mayor

  
Kimberly H. Davis, Town Clerk

